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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

BY: 

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MICHAEL SCOTT CROSBY

CIVIL ACTION NO. 10-cv-1581

VERSUS

JUDGE TOM STAGG

WARDEN, LOUISIANA STATE
PENITENTIARY

MAGISTRATE JUDGE HORNSBY

JUDGMENT

The petitioner fails utterly in his habeas effort. Without exhausting state remedies first, no federal court at any level can grant relief. Therefore, for the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;

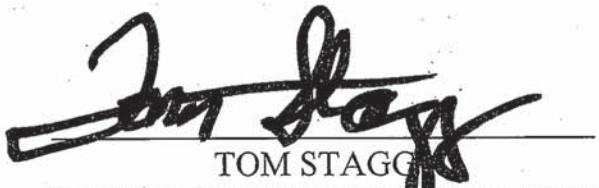
IT IS ORDERED that the petition for writ of habeas corpus is denied.

IT IS FURTHER ORDERED that the motion for a writ of mandamus filed by Michael Scott Crosby is denied.

Rule 11 of the Rules Governing Section 2254 Proceedings for the U.S. District Courts requires the district court to issue or deny a certificate of appealability when it enters a final order adverse to the applicant. The court, after considering the record in this case and the standard set forth in 28 U.S.C. Section 2253, denies a certificate of appealability. Jurists of reason would not find it debatable whether the petition states a valid claim of the denial of a constitutional right and whether this court was correct in its procedural ruling. See Slack

v. McDaniel, 120 S.Ct. 1595, 1604 (2000).

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 23rd day of September, 2014.


TOM STAGG
UNITED STATES DISTRICT JUDGE